

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 8

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES
IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION
REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED
STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the right to a private, secret ballot when voting on external representation is fundamentally inherent in our representative Republic and shall not be infringed upon; and

WHEREAS, the passage of the Employee Free Choice Act (EFCA), or any components contained within the Act, would allow, in place of a federally supervised private ballot election, a system known as "card check," whereby employees sign valid authorizations designating an individual or labor organization as the employees' bargaining representative; and

WHEREAS, the "card check" system would facilitate coercion and intimidation by permitting the union authorization cards to be signed before union organizers; and

WHEREAS, in a March of 2008 nationwide telephone survey of 1,000 adults, conducted by the polling company, inc., seventy-nine percent of the American people agreed that every worker should continue to have the right to a federally supervised secret ballot election when deciding whether to organize a union. The support for this proposition was overwhelmingly tri-partisan, with seventy-seven percent of Republicans, eighty-two percent of Democrats and seventy-nine percent of independents so agreeing; and

WHEREAS, a June of 2004 national random telephone survey of over 700 union members conducted by Zogby International found that fifty-three percent of the respondents believed that having the government hold a secret ballot election and keeping the workers' decisions private was the more fair way to become part of a union; and

WHEREAS, in July of 2002, Bruce G. Esgar, an employee of MGM Grand Hotel, Inc. in Las Vegas, testified before the United States House of Representatives Committee on Education and the Workforce that the Culinary Workers Union, Local 226, used threats of job loss and loss of health and the 401k benefits if the authorization card was not signed; and

WHEREAS, according to the United States Chamber of Commerce, Representative George Miller, the Chairman of the United States House of Representatives Education and Labor Committee and a staunch supporter of the American "card check" bill, along with fifteen other members of Congress, sent a letter to Mexican government officials in August of 2001, stating "we feel that the private ballot is absolutely necessary in order to ensure workers are not intimidated into voting for a union they may otherwise not choose"; and

WHEREAS, the EFCA's mandatory binding arbitration provisions deny workers the right to participate in the collective bargaining process between employees and the union; and

1 WHEREAS, the so-called "card check" legislation, such as the EFCA, is detrimental to
2 the rights of workers and is an offense against democratic principles; and

3 WHEREAS, the Idaho Legislature finds that the EFCA is detrimental to the rights of
4 workers and an offense against democratic principles.

5 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of
6 the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein,
7 that the Senate and the House of Representatives of the United States Congress assembled and
8 the congressional delegation representing the state of Idaho in the Congress of the United States
9 are strongly urged to vote "no" on cloture and on final passage of the Employee Free Choice
10 Act and oppose any of its components in 2009, and in future years.

11 BE IT FURTHER RESOLVED that the members of the Idaho Legislature strongly urge
12 all members of the United States Congress to vote "no" on final passage of the Employee Free
13 Choice Act and oppose any of its components in 2009, and in future years.

14 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be,
15 and she is hereby authorized and directed to forward a copy of this Memorial to the President
16 of the Senate and the Speaker of the House of Representatives of Congress, and the congres-
17 sional delegation representing the State of Idaho in the Congress of the United States.